Case 16-23334-CMB Doc 22 Filed 10/06/16 Entered 10/07/16 01:07:25 Desc Imaged

<b>1</b>		Certificate of Notice	Page 1 of 4		
Information to identify the case:					
Debtor 1	Jill M. Usenicnik		Social Security number or ITIN xxx-xx-7518		
	First Name Middle Name	Last Name	EIN		
Debtor 2 (Spouse, if filing)		Last Name	Social Security number or ITIN		
	First Name Middle Name		EIN		
United States Bankruptcy Court WESTERN DISTRICT OF PENNSYLVANIA			Date case filed for chapter 13 9/7/16		
Case number: 16–23334–CMB					

# Official Form 3091

# **Notice of Chapter 13 Bankruptcy Case**

12/15

For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <a href="https://www.pacer.gov">www.pacer.gov</a>).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

		About Debtor 1:	About Debtor 2:	
1.	Debtor's full name	Jill M. Usenicnik	About Deptor 2:	
2.	All other names used in the last 8 years			
3.	Address	240 W. Allegheny Blvd. Imperial, PA 15126		
4.	<b>Debtor's attorney</b> Name and address	Jeffrey T. Morris Elliott & Davis PC 425 First Ave. First Floor Pittsburgh, PA 15219	Contact phone 412–434–4911 ext. 34	
5.	Bankruptcy trustee Name and address	Ronda J. Winnecour Suite 3250, USX Tower 600 Grant Street Pittsburgh, PA 15219	Contact phone 412–471–5566	
6.	Bankruptcy clerk's office	U.S. Bankruptcy Court 5414 U.S. Steel Tower 600 Grant Street Pittsburgh, PA 15219	Hours open Monday – Friday 9:00 AM – 4:30 PM Contact phone 412–644–2700 Date: 10/4/16	
	The Court uses an electronic filing system and filers must follow the Court's Local Rules governing the manner in which documents must be filed. Persons not represented by an attorney may file paper documents at this address. You may inspect all records filed in this case at this office or online at www.pacer.gov. Photo ID/Delays:For security reasons, you may encounter delays when attending court hearings. You should be prepared to show Photo Identification when attending these preceedings, Please plan accordingly.			

For more information, see page 2

Debtor Jill M. Usenicnik Case number 16-23334-CMB

#### 7. Meeting of creditors Debtors must attend the meeting to November 7, 2016 at 03:00 PM Location: be questioned under oath. In a joint 3251 U.S. Steel Tower, 600 Grant Street, case, both spouses must attend. Pittsburgh, PA 15219 The meeting may be continued or adjourned to a Creditors may attend, but are not later date. If so, the date will be on the court required to do so. docket. Debtor's Photo ID and Social Security Card Must be Presented at the 341 Meeting 8. Deadlines Filing deadline: 1/6/17 Deadline to file a complaint to challenge The bankruptcy clerk's office must dischargeability of certain debts: receive these documents and any required filing fee by the following You must file: deadlines. a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4). Deadline for all creditors to file a proof of claim Filing deadline: 2/6/17 (except governmental units): Filing deadline: 3/6/17 Deadline for governmental units to file a proof of claim: Deadlines for filing proof of claim: A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial. **Deadline to object to exemptions:**The law permits debtors to keep certain property as exempt. If you Filing deadline: 30 days after the conclusion of the believe that the law does not authorize an exemption claimed, you meeting of creditors may file an objection. 9. Filing of plan The debtor has filed a plan, a copy of which is enclosed. An initial hearing on confirmation of the plan will be conciliated by the chapter 13 trustee and will be held immediately following the meeting of creditors. Objections to the plan must be filed 7 days prior to the first date set for the meeting of creditors. Objections to holding the initial confirmation hearing immediately following the meeting of creditors must be filed 14 days prior to the first date set for the meeting of creditors. Any party filing an objection to the plan and/or the holding of an initial confirmation hearing immediately following the meeting of creditors must appear in person at the meeting of Any continuance will be announced at the initial hearing. No other notice will be given. Parties must check the docket to ascertain the continued hearing date, time and location. Debtors and their counsel must attend. The hearing on confirmation will be held on: 11/7/16 at 03:00 PM, Location: 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219 If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case. 10. Creditors with a foreign address 11. Filing a chapter 13 Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation bankruptcy case hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise. The debtor is required to timely make all payments to the trustee. The first payment is due (30) days after the Chapter 13 Plan has been filed. Any failure to make preconfirmation payments to the trustee may result in the dismissal of the case on the trustee's written or oral motion made prior to or at the plan confirmation hearing The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as 12. Exempt property exempt. You may inspect that list at the bankruptcy clerk's office or online at www.pacer.gov. If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a matter. 13. Discharge of debts

must file a motion

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Certificate of Notice Page 3 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:

Jill M. Usenicnik

Debt.or

Case No. 16-23334-CMB
Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0315-2 User: culy Page 1 of 2 Date Rcvd: Oct 04, 2016 Form ID: 3091 Total Noticed: 20

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 06, 2016. 240 W. Allegheny Blvd., Imperial, PA 151 KML Law Group, P.C., 701 Market Street, db #+Jill M. Usenicnik, Imperial, PA 15126-9775 +Joshua I. Goldman, Suite 5000, aty Philadelphia, PA 19106-1541 Peter J. Ashcroft, Bernstein-Burkley, P.C., Suite 2200, Gulf Tower, aty Pittsburgh, PA 15219-1900 +Ronda J. Winnecour, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219-2702 +AAA Debt Recovery, PO Box 129, Monroeville, PA 15146-0129 +Creditech, 50 North 7th St., Bangor, PA 18013-1791 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011 +Midland Funding, 2365 Northside Dr., Suite 30, San Diego, 14285533 14285537 14294711 San Diego, CA 92108-2709 14285542 Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: morris@elliott-davis.com Oct 05 2016 02:13:52 Jeffrey T. MorrisDelliott & Davis PC, 425 First Ave., First Floor, Pittsburgh, PA 15219 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 05 2016 02:14:31 Pennsylvania Jeffrey T. Morris, aty Pennsylvania Dept. of Revenue, smg Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION, Harrisburg, PA 17128-0946 ust +E-mail/Text: ustpregion03.pi.ecf@usdoj.gov Oct 05 2016 02:14:37 Office of the United States Trustee, Liberty Center., 1001 Liberty Avenue, Suite 970, Pittsburgh, PA 15222-3721 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605 EDI: CAPITALONE.COM OCT 05 2016 01:48:00 Capital One. Po EDI: RECOVERYCORP.COM Oct 05 2016 01:48:00 cr 14285534 PO Box 30281. Salt Lake City, UT 84130-0281 +E-mail/Text: bankruptcy@cavps.com Oct 05 2016 02:14:55 14285535 Cavalry Port, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2322 EDI: RCSFNBMARIN.COM Oct 05 2016 01:48:00 Credit One Bank, 14285538 Las Vegas, NV 89193-8873 14285536 +EDI: CREDPROT.COM Oct 05 2016 01:48:00 Credit Protection Association, 1 Galleria Tower, Suite 2100, 13355 Noel Road, Dallas, TX 75240-6837 EDI: HY11.COM Oct 05 2016 01:48:00 14285539 Hyundai Motor Finance Co., 10550 Talbert Ave., Fountain Valley CA 92708-6031 EDI: JEFFERSONCAP.COM Oct 05 2016 01:48:00 14285540 Jefferson Capital System, 16 McClelland Road. St. Cloud, MN 56303 EDI: CBSKOHLS.COM Oct 05 2016 01:48:00 14285541 Kohls/Capital One, PO Box 3115, Milwaukee, WI 53201-3115 14285855 EDI: RECOVERYCORP.COM Oct 05 2016 01:48:00 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605 TOTAL: 12 \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\* Duquesne Light Company cr Wells Fargo Bank, N.A., as Trustee, on behalf of t cr 14285532 In Re: Jill M. Usenicnik; No. 16-23334 14285531 MAILING MATRIX TOTALS: 4, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 06, 2016 Signature: <u>/s/Joseph Speetjens</u>

District/off: 0315-2 User: culy Page 2 of 2 Date Rcvd: Oct 04, 2016

Form ID: 309I Total Noticed: 20

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 4, 2016 at the address(es) listed below:

Jeffrey T. Morris on behalf of Debtor Jill M. Usenicnik morris@elliott-davis.com,

jsdm4morris@juno.com Joshua I. Goldman on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, on i

Joshua I. Goldman on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, on behalf of the registered holders of First Franklin Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-FFHl bkgroup@kmllawgroup.com

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com, ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;cabbott@ecf.courtdrive.com

Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5